

**ENTERED**

January 03, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

MICHEL THOMAS,

Plaintiff,

VS.

GRUNDFOS, CBS, *et al.*,

Defendants.

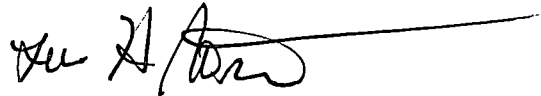
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. H-18-557

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
DENYING MOTION TO DISMISS**

The court has reviewed the Memorandum and Recommendation of United States Magistrate Judge Christina Bryan signed on December 12, 2019, and has made a *de novo* determination of Judge Bryan's recommended dispositions. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the applicable law, the court adopts the Memorandum and Recommendation on the motion to dismiss under Rules 37(d) and 41(b), (Docket Entry No. 69), as this court's Memorandum and Order. This court finds and concludes that the motion to dismiss was properly denied. Judge Bryan's recommendations to deny the motion to dismiss are consistent with and supported by the applicable legal standards. Thomas's objection, (Docket Entry No. 78), does not alter this ruling.

SIGNED on January 3, 2020, at Houston, Texas.



---

Lee H. Rosenthal  
Chief United States District Judge